

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20054

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Satellite Delivery of Network Signals)
To Unserved Households for)
Purposes of the Satellite Home)
Viewer Act)
)
Part 73 Definition and Measurement)
of Signals of Grade B Intensity)

CS Docket No. 98-201

RM No. 9335

RM No. 9345

To: The Commission

REPLY COMMENTS OF GRANITE BROADCASTING CORPORATION

Granite Broadcasting Corporation¹ ("Granite"), by its attorneys, respectfully submits to the Federal Communications Commission ("FCC" or "Commission") these Reply Comments in response to comments submitted in the above-captioned proceeding.² For the reasons set forth below, Granite urges the Commission not to redefine the Grade B contour for purposes of the Satellite Home Viewing Act ("SHVA").³ As stated herein, the arguments put forth by satellite carriers in an attempt to show that the Commission has the authority to redefine the Grade B contour for purposes of SHVA are not compelling. Granite urges the Commission to defer

¹ Through subsidiaries, Granite owns and operates the following stations: KNTV(TV)(ABC), San Jose, California; KBWB(TV)(WB), San Francisco, California; WTVH(TV)(CBS), Syracuse, New York; KSEE(TV)(NBC), Fresno, California; WPTA-TV(ABC), Fort Wayne, Indiana; WEEK-TV(NBC), Peoria, Illinois; KBJR-TV(NBC), Superior, Wisconsin; KEYE-TV(CBS), Austin, Texas; WKBW-TV(ABC), Buffalo, New York; and WDWB(TV)(WB), Detroit, Michigan.

² Satellite Delivery of Network Signals To Unserved Households for Purpose of the Satellite Home Viewer Act, Notice of Proposed Rule Making, CS Docket No.98-201 (Nov. 17, 1998) ("NPRM").

³ 17 U.S.C. § 119 (1988).

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action on redefining the Grade B contour until Congress re-examines the SHVA when SHVA sunsets at the end of 1999.

I. CONTRARY TO COMMENTS SUBMITTED BY SATELLITE CARRIERS, THE COMMISSION DOES NOT HAVE THE STATUTORY AUTHORITY TO REDEFINE THE GRADE B INTENSITY LEVEL FOR PURPOSES OF THE SHVA

The satellite carriers erroneously argue that Congress did not “freeze” the definition of Grade B signal intensity for purposes of the SHVA.⁴ A review of the legislative history of SHVA belies this claim. The House report, which drafted the initial 1988 bill, specifically defined the term “unserved household” as one that “(A) cannot receive, through the use of a conventional outdoor antenna, a signal of Grade B intensity (as defined by the FCC, currently in 47 C.F.R. section 73.683(a).”⁵ This section of the House report was relied on by the U.S. Federal District Court (the “Miami Court”) in CBS, Inc. v. PrimeTime 24 Joint Venture when it found that Congress endorsed the FCC’s method of defining a signal of grade B intensity. The Miami Court also cites to a House Judiciary Committee Report prepared a few weeks after Congress drafted the definition of “unserved households” to support this position.⁶ Thus, a reading of the House report and the Miami Court’s interpretation of the SHVA show that Congress had every intention to incorporate into the SHVA Section 73.683(a) of the FCC’s rules as it existed at the time Congress promulgated the statute.

In addition to the clear language of the House report, contrary to the claims of the direct broadcast satellite proponents, Congress has not taken any action to change use of the FCC’s present definition of a Grade B signal intensity when it reauthorized the SHVA in 1994.

⁴ 17 U.S.C. § 119 (1988). See e.g. DIRECTV, Inc. (“DIRECTV”) Comments at 7.

⁵ H.R. Rep. No. 100-887, pt. 1, at 26 (1988) (emphasis added).

Congress did not specifically address the Grade B definition when it reauthorized the SHVA in 1994, evidencing Congress' intent to continue to rely on the FCC's present definition of a grade B signal for defining an "unserved household."⁷

Contrary to the belief of the Satellite Broadcasting and Communications Association ("SBCA"), the SHVA is primarily a copyright statute and is intended to protect the copyrights of broadcasters and network programmers. Thus, the Commission does not have unfettered discretion to alter the terms defined in the statute.⁸ Congress enacted SHVA with a dual purpose: (1) to enable households located beyond the reach of a local affiliate to obtain access to broadcast network programming by satellite; and (2) to protect the integrity of the copyrights that make possible the existing free, over-the-air national network/local affiliate broadcast distribution system.⁹ The legislative history of the SHVA shows that the SHVA was designed to protect the exclusivity of the copyright held by each affiliate for exhibition in its market of its network programming.¹⁰ Thus, Congress' primary objective sought to protect local network affiliates its as Granite and the network programming distributed by its local affiliates. Even though the statute also seeks to make broadcast network programming available via satellite to "unserved" households, the statute does not provide the Commission with any discretion to redefine the reach of a local affiliate's signal and alter the terms of the statute to extend the

⁶ CBS, Inc. et. al. v. PrimeTime 24 Joint Venture, 9 F. Supp. 2d 1333, 1340 (1998) ("CBS v. PrimeTime 24").

⁷ The U.S. District Court in ABC, Inc., et. al. v. PrimeTime 24 Joint Venture, 17 F. Supp. 2d 467 (1998) ("ABC v. PrimeTime 24") found that Congress' "understanding was replicated in the 1994 amendment to SHVA, which did not alter the definition of an unserved household."

⁸ The Commission does not have statutory responsibility to implement copyright policy or statutes.

⁹ H.R. Rep. No. 100-887, pt. 1, at 8 (1988). The Commission has also recognized the dual purpose of SHVA in its NPRM at ¶ 36.

¹⁰ H.R. Rep. No. 100-887, pt. 2, at 20 (1988); H.R. Rep. No. 100-887, pt. 1, at 14 (1988).

distribution of network programming by satellite carriers. Instead, the SHVA makes reference to the FCC's rules as they existed at the time the statute was enacted to ensure that local affiliates may continue to distribute local network and other programming to its local viewers.

Congress determined that the national interest requires preservation of the local broadcast service by protecting the longstanding, free, universally available, over-the-air national network/local affiliate television distribution system.¹¹ The Commission acknowledged "Congress' decision in the SHVA to protect network-affiliate relationships and to foster localism in broadcasting."¹² Thus, SHVA establishes a narrow exception to the general prohibition on secondary transmissions of network broadcast programming by satellite carriers to home satellite antennas. Under this narrow exception, satellite distribution of network programming is permitted only to persons who reside in "unserved households."¹³ This narrow exception carefully balances the competing interests and rights of the broadcast networks, local network affiliates, satellite carriers and those who are considered "unserved" and does not, as the satellite carriers would argue, rest solely on ensuring service to any household that a satellite carrier determines is "unserved." The most important objective served by the SHVA is to protect the local network affiliate and copyright owners of broadcast programming. Thus, although the SHVA governs conduct of FCC regulated entities, it was not designed to have its terms redefined by the FCC.

The competing interests of ensuring copyright protection among the broadcast networks and local affiliates and ensuring delivery of network programming to all unserved television

¹¹ H.R. Rep. No. 100-887, pt. 2, at 20 (1988).

¹² NPRM at ¶ 36.

¹³ 17 U.S.C. §119(a)(2)(B).

households by direct broadcast satellite includes a balancing of interests that only Congress, and not the Commission may undertake. To that end, SHVA sunsets on December 31, 1999, approximately one year from now. If Congress determines that the definition of a Grade B signal intensity should be redefined for purposes of SHVA, then Congress will have the opportunity to make such a change. Until that time, the Commission must defer action on this issue. In the interim, any effort by the Commission to redefine the definition of a Grade B signal intensity will thwart the original intentions of Congress and ultimately will harm local network broadcast affiliates and the local communities they serve.

II. GRANITE WILL BE DETRIMENTALLY HARMED IF THE COMMISSION REVISES THE GRADE B INTENSITY FOR SHVA PURPOSES

In its comments, DIRECTV argues that “NAB’s attempt to characterize the Commission’s action as ‘shrinking [broadcast] stations to their Grade A areas’ are completely misplaced.”¹⁴ Comments submitted by direct broadcast satellite carriers are replete with assertions that the Commission should redefine the Grade B signal intensity for purposes of SHVA.¹⁵ These parties argue that the Commission should change the definition of a Grade B signal intensity to permit satellite carriers to provide distant network broadcasting to a significant number of satellite television subscribers who have arbitrarily been excluded from receiving network broadcast signals via satellite.¹⁶ They conclude that these direct broadcast satellite subscribers are considered “unserved” because they cannot receive a “clean” picture.¹⁷ In order

¹⁴ See e.g. DIRECTV Comments at 12.

¹⁵ See e.g. DIRECTV Comments at 7; SBCA Comments at 5; and Primestar Partners, L.P. (“Primestar”) Comments at 4.

¹⁶ See DIRECTV Comments at 3; Primestar Comments at 2; SBCA Comments at 2.

¹⁷ See e.g. DIRECTV Comments at 5; SBCA Comments at 4. (“The problem of distinguishing between served and unserved households is best remedied by adopting Grade B signal strength values that accurately reflect whether a household can receive an ‘acceptable’ picture in today’s more complex signal propagation environment”);

to ensure that every satellite television subscriber receives a “clear picture,” the satellite industry seeks to have the Commission redefine the Grade B service contour in order to increase the strength of the existing Grade B signal to more closely approximate a station’s present Grade A signal strength.¹⁸

Contrary to the claims of the direct broadcast satellite carriers, SHVA does not define “unserved” to be a household that cannot receive a “clear” picture. Neither the language in the SHVA nor the legislative history provides any support for the fictional claim that every household that cannot receive a “clear” picture is “unserved” under the SHVA. The Miami Court previously held that the plain language of the statute does not refer to “clear” reception.¹⁹ The simple truth is that the satellite carriers are attempting to skirt around a simple tenet of SHVA--that the statute is intended to protect the local network affiliate from copyright infringements. Congress chose not to provide a broad compulsory license to the satellite carriers. Instead, the compulsory license was narrowly tailored to ensure that local station affiliates are protected from losing a significant number of viewers. Should the Commission now redefine the existing Grade B standard to permit unlimited distribution of a distant network signal to any household not receiving a “clear” picture with a conventional rooftop antenna, they will be upsetting the trade-offs and compromises implicit in the SHVA which sought to prevent the erosion of network viewers of television stations in local markets.

CBS v. PrimeTime 24, 9 F. Supp. 2d 1333, 1337. (PrimeTime 24 argued that the intent of the SHVA is to provide clear reception of network signals to households that cannot now receive them. PrimeTime argued that whether a household receives a clear picture is of great significance to determining whether that household is “unserved” in the statute).

¹⁸ See NPRM at ¶ 9.

¹⁹ CBS v. PrimeTime 24, 9 F. Supp. 2d 1333, 1339.

To illustrate the harm that the Commission will inflict upon broadcasters if it adopts its proposed change in the definition of Grade B contour, Granite has prepared contour maps providing a conservative analysis of the number of potential viewers Granite will lose to direct broadcast satellite service should the Commission redefine the existing Grade B contour as proposed by the FCC.²⁰ The maps show for each Granite network affiliate all areas and population predicted to receive a signal of at least Grade B intensity using Longley-Rice F(50,50) and the areas and population predicted to receive a signal under the FCC's proposed Grade B intensity formula (i.e., Longley-Rice F(99,99)).²¹ A comparison of the differences in coverage of television viewers and households demonstrates the potential significant adverse effect on Granite's local viewership that will result should the Commission decide to adopt its proposed redefinition of the Grade B signal contour. The coverage maps are attached as Exhibit 1; analyses of the coverage maps are attached as Exhibit 2; and a summary (by percentages) of the changes in populations and television households within the grade B contour if the definition is changed as proposed is attached as Exhibit 3.²²

As the attached conservative coverage analysis demonstrates, implementation of the FCC's proposed change will decrease significantly the total population and households within the Grade B coverage area of each Granite network affiliate. At a minimum reduction in population within the protected grade B contour (as a percentage of the population served using

²⁰ EchoStar endorses and the FCC proposes redefining the grade B contour based on a model that predicts an area when 99 percent of households receive a Grade B signal 99 percent of the time with a 50 percent confidence level. See NPRM at ¶ 9.

²¹ These maps were produced using Longley-Rice, version 1.2.2, in point-to-point mode. This comparison is a conservative estimate of Grade B areas and population loss since the Commission's existing rules use a model which does not take the intervening terrain into account to determine a Grade B contour.

²² See accompanying engineering statement of Mr. Hank Brandenburg, Executive Vice President of Dataworld.

the FCC's current definition of a Grade B signal) for each Granite network affiliate will be as follows: KBJR-TV (33.8%); WEEK(TV) (55.4%); WPTA-TV (47.3%); WTVH(TV) (51.2%); WKBW(TV) (31.4%); KSEE-TV (12.8%); KNTV(TV) (19.3%); and KEYE-TV (23.6%). See Exhibits 2 and 3. At a minimum, the reduction in television households within the protected grade B contour (as a percentage of the television households served using the FCC's current definition of Grade B signal) for each Granite network affiliate will be as follows: KBJR-TV (42.0%); WEEK(TV) (55.4%); WPTZ-TV (47.5%); WTVH(TV) (52.3%); WKBW(TV)(30.3%); KSEE-TV (18.8%); KNTV(TV) (19.8%); and KEYE-TV (23.8%). Thus, as the preceding analysis demonstrates, adoption of the FCC's proposal would have a dramatic effect on the potential local viewership for all of Granite's network affiliates. For example, at a minimum, if the FCC's proposal is adopted, the potential viewing audience of station WEEK-TV would be reduced from of 852,036, to 384,846, representing a potential loss of 467,190 viewers. See also Exhibits 2 and 3 for other examples. If the FCC's proposed method for determining a Grade B signal intensity is adopted, Granite estimates that there would be at least a 30% and 31% reduction in total population and households within the Grade B contours of Granite's network affiliated stations. See Exhibit 3.

The corresponding effect on audience ratings and station viewers would be similarly devastating. Station WEEK-TV and Granite's other network affiliate depend on local advertising revenues to maintain their present level of news and public affairs programming. The ability of Station WEEK-TV and the other Granite network affiliates to support their current level of local news and public affairs programming will be strained significantly with the significant erosion in its local viewing audience that is inevitable should the FCC's proposal be adopted. Moreover, as

Granite stated in its initial comments, the economic impact may be so devastating as to imperil or, at a minimum, delay each station's conversion to digital television.

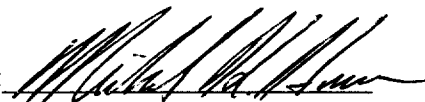
CONCLUSION

Granite strongly opposes the Commission's proposal to change the definition of the Grade B intensity level for purposes of the SHVA. The arguments put forth by members of the satellite industry are not supported by relevant legislative history or case law and the Commission does not have authority to grant their self-serving requests to redefine the Grade B contour for purposes of the SHVA. The coverage contour maps and related analyses submitted by Granite for each of its network affiliated stations conservatively demonstrates the potential significant adverse affects the FCC's proposal to redefine the grade B signal intensity will have on Granite's ability to continue to provide its unique and high quality local news and public affairs programming to its current local viewing audience.

Based on the foregoing, Granite respectfully urges the Commission not to redefine the Grade B signal intensity for purposes of the SHVA and to defer any action on the redefinition of the Grade B contour until Congress reexamines the SHVA, one year from now, when it is scheduled to sunset.

Respectfully submitted,

**GRANITE BROADCASTING
CORPORATION**

By: 

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Its Attorneys

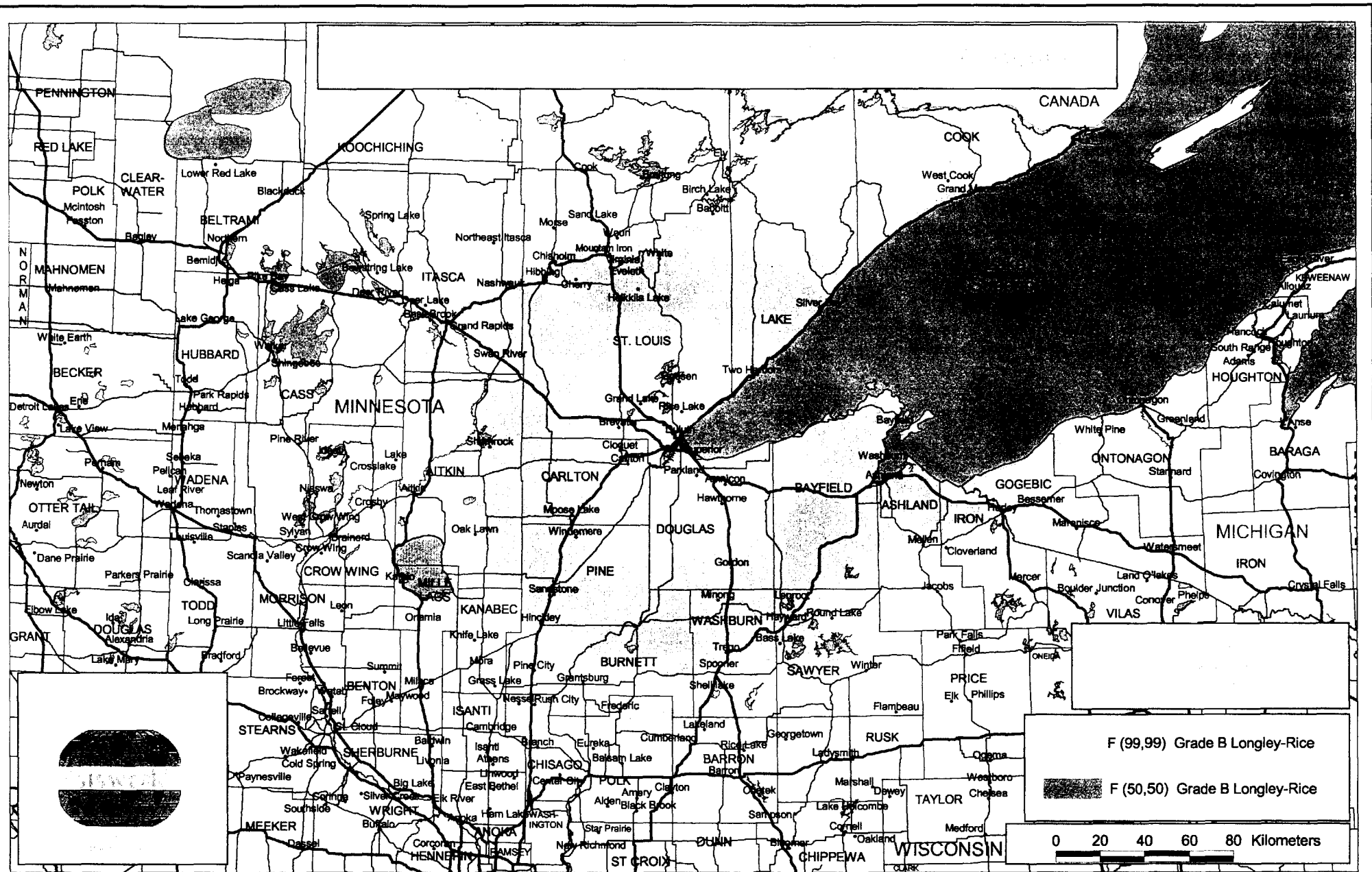
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Washington, D.C. 20036

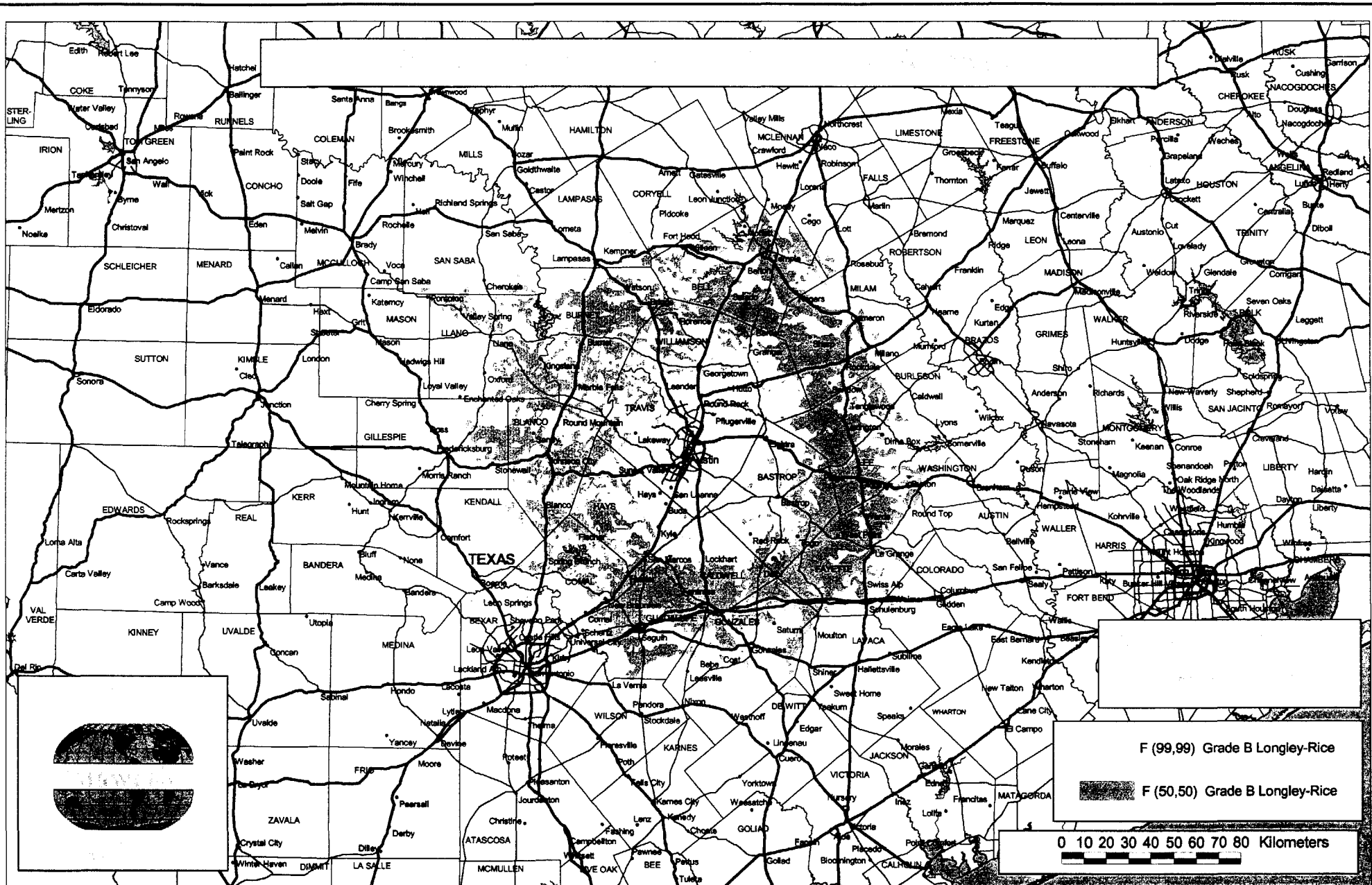
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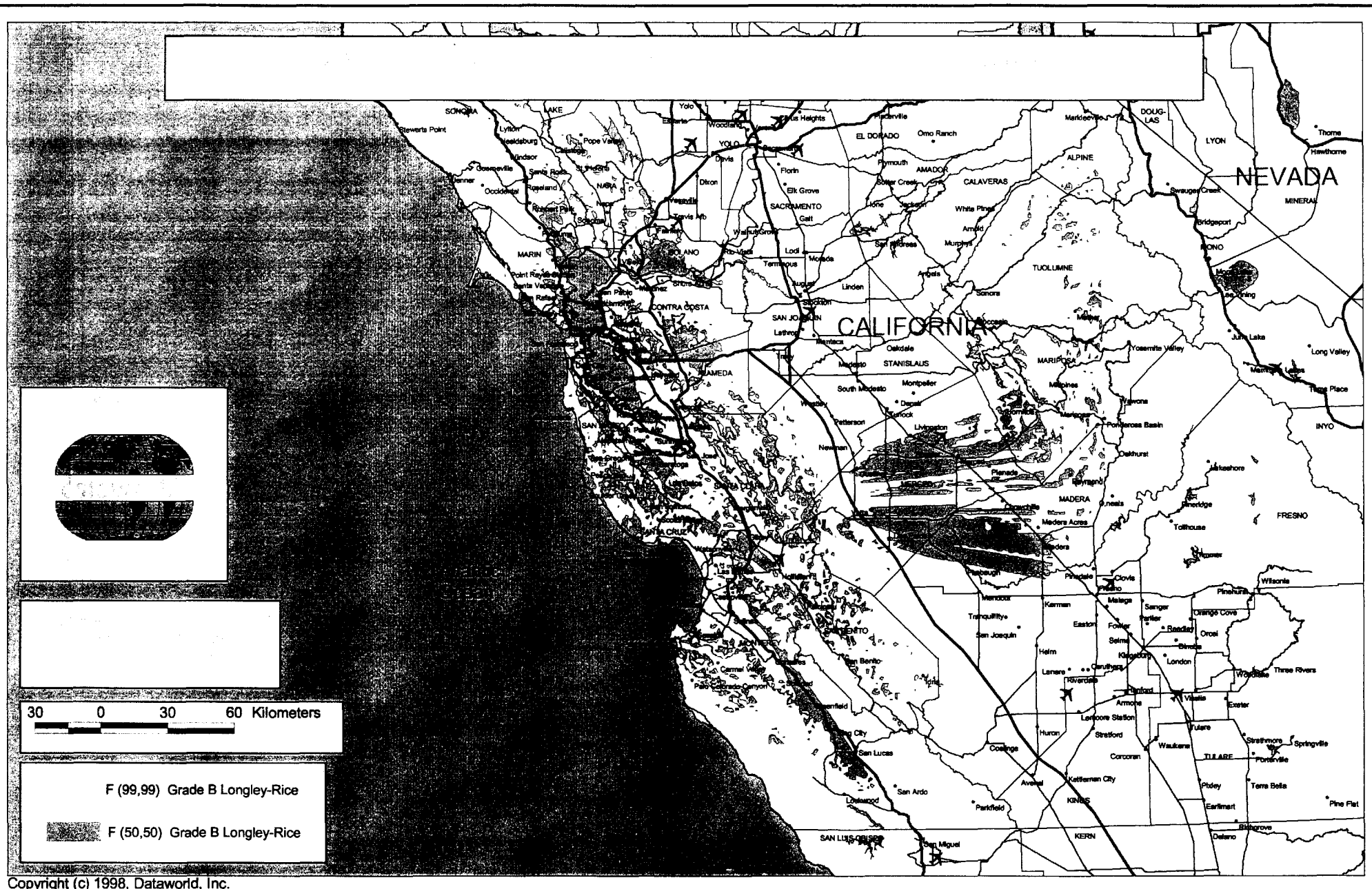
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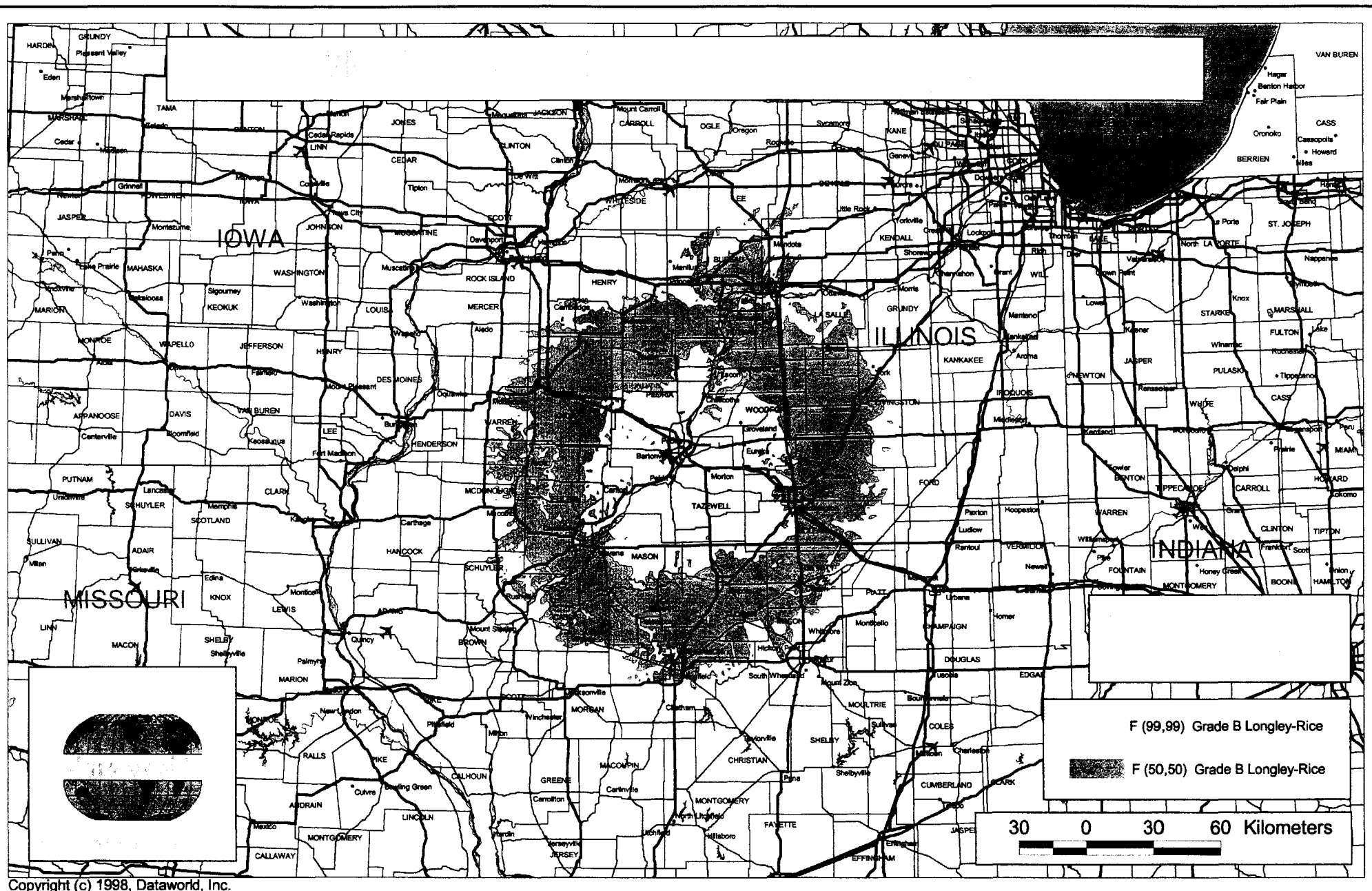
GRADE B CONTOUR MAPS

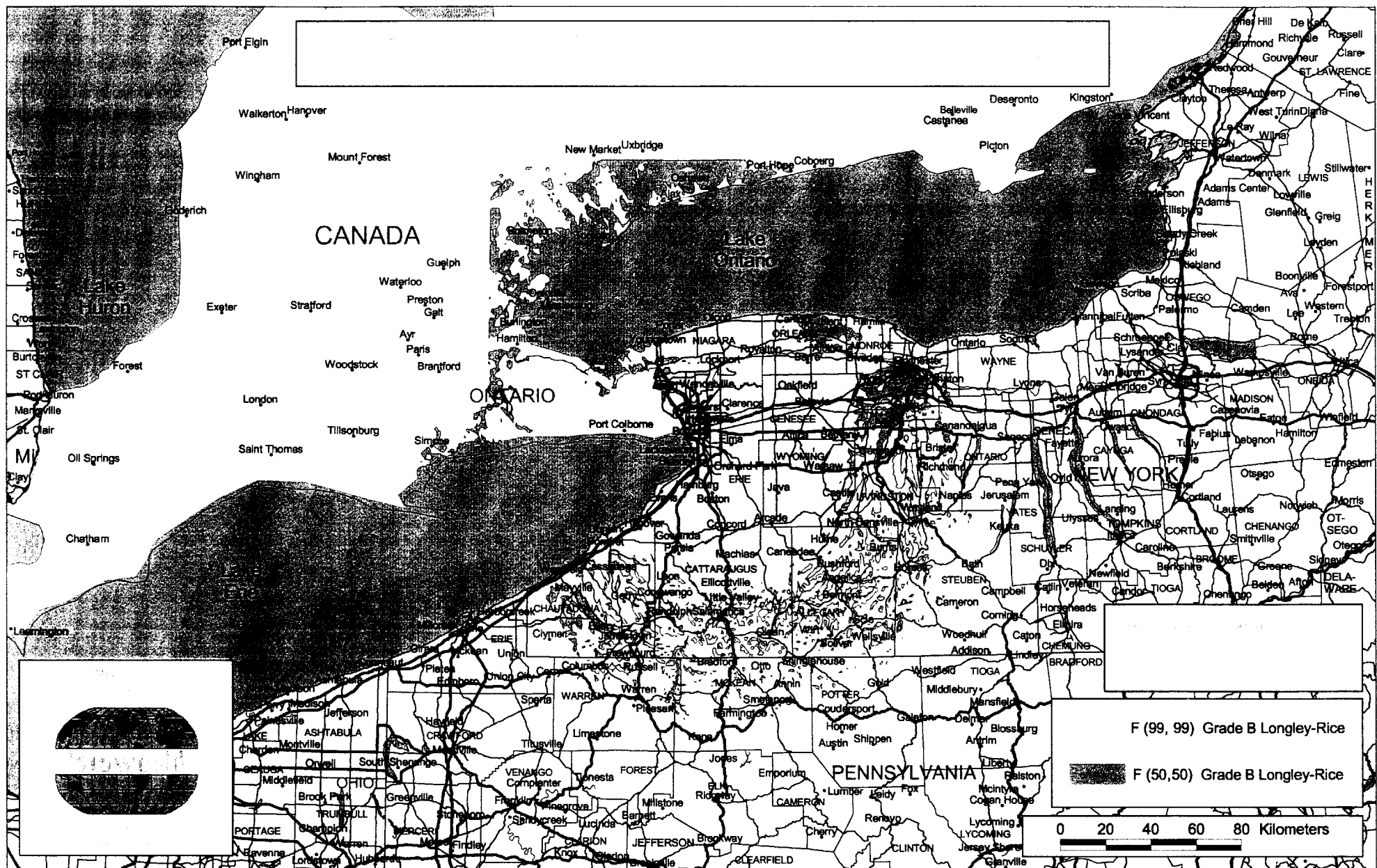
GRANITE BROADCASTING CORPORATION

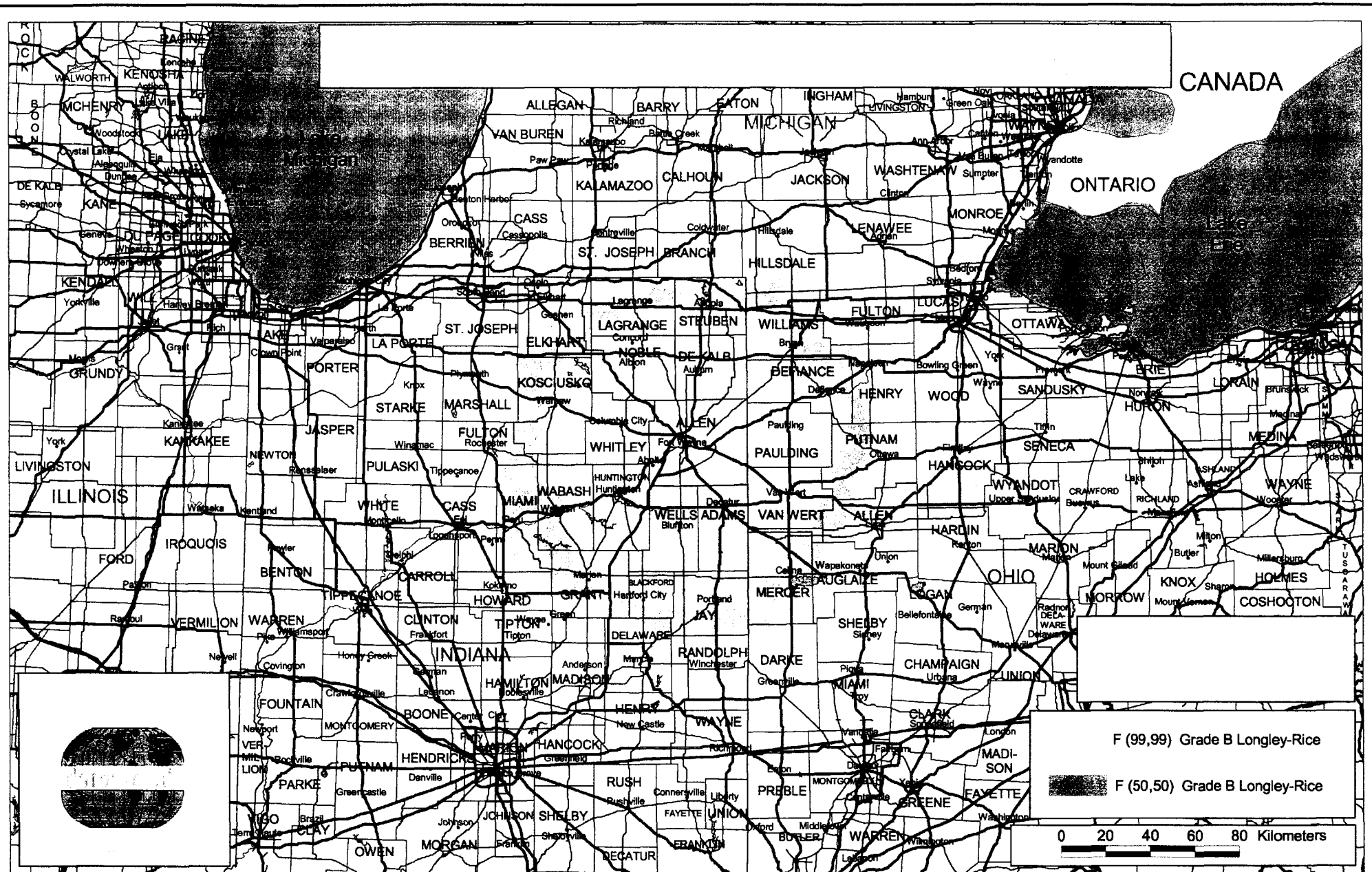












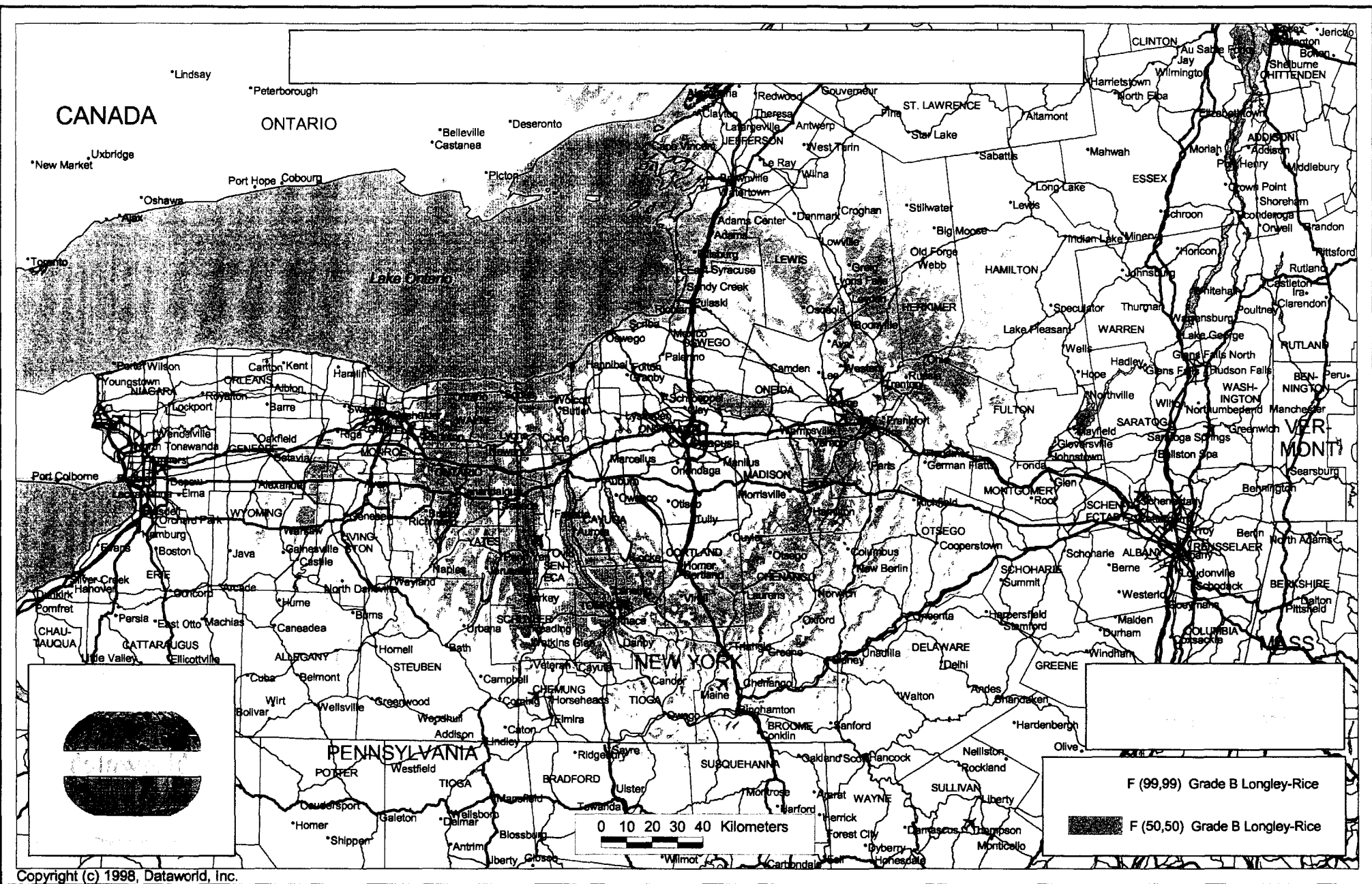


EXHIBIT 2

GRADE B COVERAGE ANALYSIS CHARTS

GRANITE BROADCASTING CORPORATION



KBJR Coverage Analysis

December 16, 1998

County	State	County total		F(50,50,50)				F(99,99,50) *				% Change	
		POP	HU	POP	%	HU	%	POP	%	HU	%	POP	HU
Gogebic County	MI	18,052	10,997	1,426	7.9	919	8.4	0	0.0	0	0.0	100.0	100.0
Aitkin County	MN	12,425	12,934	1,832	14.7	2,036	15.7	0	0.0	0	0.0	100.0	100.0
Carlton County	MN	29,259	12,342	29,259	100.0	12,342	100.0	24,344	83.2	10,123	82.0	16.8	18.0
Cook County	MN	3,868	4,312	506	13.1	519	12.0	0	0.0	0	0.0	100.0	100.0
Itasca County	MN	40,863	22,494	1,927	4.7	986	4.4	0	0.0	0	0.0	100.0	100.0
Kanabec County	MN	12,802	6,098	32	0.2	53	0.9	0	0.0	0	0.0	100.0	100.0
Lake County	MN	10,415	6,776	7,755	74.5	4,408	65.1	6,215	80.1	3,187	72.3	19.9	27.7
Pine County	MN	21,264	12,738	11,148	52.4	6,868	53.9	367	3.3	273	4.0	96.7	96.0
St. Louis County	MN	198,213	95,403	158,135	79.8	70,203	73.6	117,692	74.4	50,431	71.8	25.6	28.2
Ashland County	WI	16,307	8,371	11,180	68.6	5,044	60.3	0	0.0	5	0.1	100.0	99.9
Barron County	WI	40,750	19,363	13	0.0	7	0.0	0	0.0	0	0.0	100.0	100.0
Bayfield County	WI	14,008	10,918	8,815	62.9	8,158	74.7	2,127	24.1	1,849	22.7	75.9	77.3
Burnett County	WI	13,084	11,743	4,752	36.3	5,927	50.5	0	0.0	0	0.0	100.0	100.0
Douglas County	WI	41,758	20,610	41,758	100.0	20,610	100.0	39,928	95.6	18,199	88.3	4.4	11.7
Iron County	WI	6,153	5,243	181	2.9	117	2.2	0	0.0	0	0.0	100.0	100.0
Polk County	WI	34,773	18,562	695	2.0	341	1.8	0	0.0	0	0.0	100.0	100.0
Sawyer County	WI	14,181	13,025	2,824	19.9	1,867	14.3	0	0.0	0	0.0	100.0	100.0
Washburn County	WI	13,772	9,829	5,590	40.6	4,495	45.7	0	0.0	0	0.0	100.0	100.0
Total		541,947	301,758	287,828	53.1	144,900	48.0	190,673	66.2	84,067	58.0	33.8	42.0

* Percentages shown relative to F(50,50,50) coverage



KEYE Coverage Analysis

December 16, 1998

County	State	County total		F(50,50,50)				F(99,99,50) *				% Change	
		POP	HU	POP	%	HU	%	POP	%	HU	%	POP	HU
Bastrop County	TX	38,263	16,301	38,050	99.4	16,199	99.4	29,130	76.6	12,006	74.1	23.4	25.9
Bell County	TX	191,088	75,957	65,690	34.4	28,509	37.5	13	0.0	6	0.0	100.0	100.0
Bexar County	TX	1,185,394	455,832	178	0.0	53	0.0	0	0.0	0	0.0	100.0	100.0
Blanco County	TX	5,972	3,135	3,746	62.7	1,953	62.3	1,170	31.2	627	32.1	68.8	67.9
Burleson County	TX	13,625	7,044	753	5.5	429	6.1	0	0.0	0	0.0	100.0	100.0
Burnet County	TX	22,677	12,801	18,371	81.0	10,047	78.5	5,766	31.4	2,925	29.1	68.6	70.9
Caldwell County	TX	26,392	10,123	26,315	99.7	10,058	99.4	17,616	66.9	6,379	63.4	33.1	36.6
Colorado County	TX	18,383	8,537	810	4.4	394	4.6	0	0.0	0	0.0	100.0	100.0
Comal County	TX	51,832	22,987	27,665	53.4	11,977	52.1	234	0.8	106	0.9	99.2	99.1
Coryell County	TX	64,213	18,970	5,132	8.0	1,764	9.3	0	0.0	0	0.0	100.0	100.0
DeWitt County	TX	18,840	8,568	22	0.1	14	0.2	0	0.0	0	0.0	100.0	100.0
Falls County	TX	17,712	7,733	135	0.8	49	0.6	0	0.0	0	0.0	100.0	100.0
Fayette County	TX	20,095	10,756	13,456	67.0	7,013	65.2	0	0.0	0	0.0	100.0	100.0
Gillespie County	TX	17,204	8,265	694	4.0	335	4.1	0	0.0	0	0.0	100.0	100.0
Gonzales County	TX	17,205	7,810	1,431	8.3	808	10.3	0	0.0	0	0.0	100.0	100.0
Guadalupe County	TX	64,873	25,592	33,996	52.4	13,175	51.5	214	0.6	75	0.6	99.4	99.4
Hays County	TX	65,614	25,247	61,516	93.8	23,907	94.7	39,201	63.7	15,357	64.2	36.3	35.8
Kendall County	TX	14,589	6,137	110	0.8	44	0.7	0	0.0	0	0.0	100.0	100.0
Lampasas County	TX	13,521	6,193	2,391	17.7	884	14.3	0	0.0	0	0.0	100.0	100.0
Lavaca County	TX	18,690	9,549	169	0.9	79	0.8	0	0.0	0	0.0	100.0	100.0

* Percentages shown relative to F(50,50,50) coverage

KEYE Coverage Analysis

December 16, 1998

County	State	County total		F(50,50,50)				F(99,99,50) *				% Change	
		POP	HU	POP	%	HU	%	POP	%	HU	%	POP	HU
Lee County	TX	12,854	5,773	10,782	83.9	4,734	82.0	379	3.5	185	3.9	96.5	96.1
Llano County	TX	11,631	9,773	3,171	27.3	3,168	32.4	41	1.3	67	2.1	98.7	97.9
McLennan County	TX	189,123	78,857	53	0.0	17	0.0	0	0.0	0	0.0	100.0	100.0
Milam County	TX	22,946	10,511	13,261	57.8	6,002	57.1	150	1.1	71	1.2	98.9	98.8
San Saba County	TX	5,401	3,078	23	0.4	17	0.6	0	0.0	0	0.0	100.0	100.0
Travis County	TX	576,407	264,173	576,004	99.9	263,957	99.9	571,394	99.2	261,434	99.0	0.8	1.0
Washington County	TX	26,154	11,717	177	0.7	136	1.2	0	0.0	0	0.0	100.0	100.0
Williamson County	TX	139,551	54,466	139,501	100.0	54,445	100.0	132,393	94.9	51,578	94.7	5.1	5.3
Total		2,870,249	1,185,885	1,043,602	36.4	460,167	38.8	797,701	76.4	350,816	76.2	23.6	23.8

* Percentages shown relative to F(50,50,50) coverage



KNTV Coverage Analysis

December 16, 1998

County	State	County total		F(50,50,50)				F(99,99,50) *				% Change	
		POP	HU	POP	%	HU	%	POP	%	HU	%	POP	HU
Alameda County	CA	1,279,182	504,109	1,160,476	90.7	458,876	91.0	1,037,301	89.4	410,562	89.5	10.6	10.5
Alpine County	CA	1,113	1,319	0	0.0	10	0.8	0	0.0	0	0.0		100.0
Contra Costa County	CA	803,732	316,170	189,277	23.5	74,658	23.6	47,501	25.1	20,025	26.8	74.9	73.2
Fresno County	CA	667,490	235,563	1,383	0.2	413	0.2	0	0.0	0	0.0	100.0	100.0
Madera County	CA	88,090	30,831	44,474	50.5	14,119	45.8	0	0.0	0	0.0	100.0	100.0
Marin County	CA	230,096	99,757	84,186	36.6	38,535	38.6	3,665	4.4	1,715	4.5	95.6	95.5
Mariposa County	CA	14,302	7,700	1,551	10.8	783	10.2	0	0.0	0	0.0	100.0	100.0
Merced County	CA	178,403	58,410	139,939	78.4	45,939	78.6	0	0.0	0	0.0	100.0	100.0
Monterey County	CA	355,660	121,224	331,010	93.1	109,247	90.1	286,437	86.5	97,336	89.1	13.5	10.9
Napa County	CA	110,765	44,199	5,020	4.5	1,573	3.6	0	0.0	0	0.0	100.0	100.0
San Benito County	CA	36,697	12,230	35,784	97.5	11,872	97.1	32,187	89.9	10,672	89.9	10.1	10.1
San Francisco County	CA	723,959	328,471	504,845	69.7	240,100	73.1	350,144	69.4	160,045	66.7	30.6	33.3
San Mateo County	CA	649,623	251,782	549,625	84.6	215,143	85.4	504,219	91.7	198,443	92.2	8.3	7.8
Santa Clara County	CA	1,497,577	540,240	1,487,960	99.4	536,070	99.2	1,392,940	93.6	500,097	93.3	6.4	6.7
Santa Cruz County	CA	229,734	91,878	229,098	99.7	91,590	99.7	207,965	90.8	82,609	90.2	9.2	9.8
Solano County	CA	340,421	119,533	9,480	2.8	3,599	3.0	0	0.0	0	0.0	100.0	100.0
Sonoma County	CA	388,222	161,062	14,764	3.8	5,523	3.4	0	0.0	0	0.0	100.0	100.0
Stanislaus County	CA	370,522	132,027	2	0.0	4	0.0	0	0.0	0	0.0	100.0	100.0
Tuolumne County	CA	48,456	25,175	5	0.0	3	0.0	0	0.0	0	0.0	100.0	100.0
Total		8,014,044	3,081,680	4,788,879	59.8	1,848,057	60.0	3,862,359	80.7	1,481,504	80.2	19.3	19.8

* Percentages shown relative to F(50,50,50) coverage



WEEK Coverage Analysis

December 16, 1998

County	State	County total		F(50,50,50)				F(99,99,50) *				% Change	
		POP	HU	POP	%	HU	%	POP	%	HU	%	POP	HU
Brown County	IL	5,836	2,357	68	1.2	29	1.2	0	0.0	0	0.0	100.0	100.0
Bureau County	IL	35,688	14,762	20,184	56.6	8,271	56.0	0	0.0	0	0.0	100.0	100.0
Cass County	IL	13,437	5,698	3,629	27.0	1,603	28.1	0	0.0	0	0.0	100.0	100.0
Christian County	IL	34,418	14,640	4	0.0	2	0.0	0	0.0	0	0.0	100.0	100.0
De Witt County	IL	16,516	6,942	12,475	75.5	5,244	75.5	73	0.6	28	0.5	99.4	99.5
Fulton County	IL	38,080	16,480	36,903	96.9	15,983	97.0	22,142	60.0	9,421	58.9	40.0	41.1
Henry County	IL	51,159	20,881	20,355	39.8	9,060	43.4	0	0.0	0	0.0	100.0	100.0
Knox County	IL	56,393	23,722	54,942	97.4	23,123	97.5	1,112	2.0	465	2.0	98.0	98.0
La Salle County	IL	106,913	43,827	27,276	25.5	11,350	25.9	0	0.0	0	0.0	100.0	100.0
Lee County	IL	34,392	13,314	850	2.5	359	2.7	0	0.0	0	0.0	100.0	100.0
Livingston County	IL	39,301	14,365	18,178	46.3	6,438	44.8	0	0.0	0	0.0	100.0	100.0
Logan County	IL	30,798	11,638	29,955	97.3	11,338	97.4	4,005	13.4	1,615	14.2	86.6	85.8
Macon County	IL	117,206	50,049	2,079	1.8	807	1.6	0	0.0	0	0.0	100.0	100.0
Marshall County	IL	12,846	5,317	12,805	99.7	5,305	99.8	4,296	33.5	1,663	31.3	66.5	68.7
Mason County	IL	16,269	7,684	16,202	99.6	7,655	99.6	8,503	52.5	3,709	48.5	47.5	51.5
McDonough County	IL	35,244	13,257	4,752	13.5	2,113	15.9	0	0.0	0	0.0	100.0	100.0
McLean County	IL	129,180	49,164	126,340	97.8	48,039	97.7	14,706	11.6	6,020	12.5	88.4	87.5
Menard County	IL	11,164	4,650	10,204	91.4	4,310	92.7	0	0.0	0	0.0	100.0	100.0
Mercer County	IL	17,290	7,244	23	0.1	11	0.2	0	0.0	0	0.0	100.0	100.0
Morgan County	IL	36,397	14,724	1	0.0	1	0.0	0	0.0	0	0.0	100.0	100.0

* Percentages shown relative to F(50,50,50) coverage

WEEK Coverage Analysis

December 16, 1998

County	State	County total		F(50,50,50)				F(99,99,50) *				% Change	
		POP	HU	POP	%	HU	%	POP	%	HU	%	POP	HU
Peoria County	IL	182,827	75,211	182,827	100.0	75,211	100.0	179,136	98.0	73,446	97.7	2.0	2.3
Putnam County	IL	5,730	2,600	4,377	76.4	2,018	77.6	0	0.0	0	0.0	100.0	100.0
Sangamon County	IL	178,386	76,873	101,959	57.2	45,203	58.8	0	0.0	0	0.0	100.0	100.0
Schuyler County	IL	7,498	3,329	864	11.5	358	10.8	0	0.0	0	0.0	100.0	100.0
Stark County	IL	6,534	2,716	6,531	100.0	2,714	99.9	65	1.0	25	0.9	99.0	99.1
Tazewell County	IL	123,692	49,315	123,692	100.0	49,315	100.0	123,638	100.0	49,290	99.9	0.0	0.1
Warren County	IL	19,181	8,229	1,908	9.9	792	9.6	0	0.0	0	0.0	100.0	100.0
Woodford County	IL	32,653	11,932	32,653	100.0	11,932	100.0	27,170	83.2	9,815	82.3	16.8	17.7
Total		1,395,028	570,920	852,036	61.1	348,584	61.1	384,846	45.2	155,497	44.6	54.8	55.4

* Percentages shown relative to F(50,50,50) coverage



WKBW Coverage Analysis

December 16, 1998

County	State	County total		F(50,50,50)				F(99,99,50) *				% Change	
		POP	HU	POP	%	HU	%	POP	%	HU	%	POP	HU
Allegany County	NY	50,470	21,951	15,170	30.1	7,523	34.3	392	2.6	277	3.7	97.4	96.3
Cattaraugus County	NY	84,234	36,839	42,900	50.9	19,933	54.1	17,292	40.3	7,755	38.9	59.7	61.1
Chautauqua County	NY	141,895	62,682	84,022	59.2	35,227	56.2	10,163	12.1	4,547	12.9	87.9	87.1
Erie County	NY	968,532	402,131	968,532	100.0	402,131	100.0	960,676	99.2	398,824	99.2	0.8	0.8
Genesee County	NY	60,060	22,596	59,998	99.9	22,572	99.9	10,322	17.2	3,673	16.3	82.8	83.7
Livingston County	NY	62,372	23,084	29,839	47.8	10,089	43.7	83	0.3	34	0.3	99.7	99.7
Monroe County	NY	713,968	285,524	212,585	29.8	82,612	28.9	0	0.0	0	0.0	100.0	100.0
Niagara County	NY	220,756	90,385	213,778	96.8	87,203	96.5	165,251	77.3	69,070	79.2	22.7	20.8
Ontario County	NY	95,101	38,947	3,109	3.3	1,216	3.1	0	0.0	0	0.0	100.0	100.0
Orleans County	NY	41,846	16,345	39,238	93.8	15,229	93.2	1,190	3.0	369	2.4	97.0	97.6
Steuben County	NY	99,088	43,019	2,929	3.0	1,183	2.7	0	0.0	0	0.0	100.0	100.0
Wyoming County	NY	42,507	15,848	41,800	98.3	15,628	98.6	13,378	32.0	5,383	34.4	68.0	65.6
Erie County	PA	275,572	108,585	6	0.0	29	0.0	0	0.0	0	0.0	100.0	100.0
Mc Kean County	PA	47,131	21,454	1,980	4.2	882	4.1	0	0.0	0	0.0	100.0	100.0
Potter County	PA	16,717	11,334	215	1.3	158	1.4	0	0.0	0	0.0	100.0	100.0
Warren County	PA	45,050	22,236	2,534	5.6	1,061	4.8	0	0.0	0	0.0	100.0	100.0
Total		2,965,299	1,222,960	1,718,635	58.0	702,676	57.5	1,178,747	68.6	489,932	69.7	31.4	30.3

* Percentages shown relative to F(50,50,50) coverage



WPTA Coverage Analysis

December 16, 1998

County	State	County total		F(50,50,50)				F(99,99,50) *				% Change	
		POP	HU	POP	%	HU	%	POP	%	HU	%	POP	HU
Adams County	IN	31,095	10,931	31,095	100.0	10,931	100.0	21,076	67.8	7,660	70.1	32.2	29.9
Allen County	IN	300,836	122,923	300,836	100.0	122,923	100.0	300,836	100.0	122,923	100.0	0.0	0.0
Blackford County	IN	14,067	5,856	13,992	99.5	5,828	99.5	0	0.0	0	0.0	100.0	100.0
De Kalb County	IN	35,324	13,601	35,324	100.0	13,601	100.0	34,263	97.0	13,038	95.9	3.0	4.1
Delaware County	IN	119,659	48,793	1,511	1.3	589	1.2	0	0.0	0	0.0	100.0	100.0
Elkhart County	IN	156,198	60,182	16,484	10.6	5,551	9.2	0	0.0	0	0.0	100.0	100.0
Fulton County	IN	18,840	8,656	1,932	10.3	821	9.5	0	0.0	0	0.0	100.0	100.0
Grant County	IN	74,169	29,904	31,248	42.1	12,860	43.0	0	0.0	0	0.0	100.0	100.0
Howard County	IN	80,827	33,820	11	0.0	6	0.0	0	0.0	0	0.0	100.0	100.0
Huntington County	IN	35,427	13,629	35,427	100.0	13,629	100.0	29,797	84.1	11,617	85.2	15.9	14.8
Jay County	IN	21,512	8,905	20,979	97.5	8,712	97.8	0	0.0	0	0.0	100.0	100.0
Kosciusko County	IN	65,294	30,516	59,235	90.7	28,249	92.6	1,836	3.1	674	2.4	96.9	97.6
Lagrange County	IN	29,477	12,218	21,051	71.4	8,627	70.6	0	0.0	0	0.0	100.0	100.0
Madison County	IN	130,669	53,353	7	0.0	2	0.0	0	0.0	0	0.0	100.0	100.0
Marshall County	IN	42,182	16,820	382	0.9	105	0.6	0	0.0	0	0.0	100.0	100.0
Miami County	IN	36,897	14,639	5,374	14.6	2,055	14.0	0	0.0	0	0.0	100.0	100.0
Noble County	IN	37,877	15,516	37,877	100.0	15,516	100.0	24,117	63.7	9,915	63.9	36.3	36.1
Randolph County	IN	27,148	11,327	296	1.1	102	0.9	0	0.0	0	0.0	100.0	100.0
Steuben County	IN	27,446	15,768	22,389	81.6	11,830	75.0	1,046	4.7	395	3.3	95.3	96.7
Wabash County	IN	35,069	13,394	32,910	93.8	12,549	93.7	614	1.9	208	1.7	98.1	98.3

* Percentages shown relative to F(50,50,50) coverage

WPTA Coverage Analysis

December 16, 1998

County	State	County total		F(50,50,50)				F(99,99,50) *				% Change	
		POP	HU	POP	%	HU	%	POP	%	HU	%	POP	HU
Wells County	IN	25,948	9,928	25,948	100.0	9,928	100.0	22,141	85.3	8,516	85.8	14.7	14.2
Whitley County	IN	27,651	10,852	27,651	100.0	10,852	100.0	27,513	99.5	10,792	99.4	0.5	0.6
Branch County	MI	41,502	18,449	291	0.7	101	0.5	0	0.0	0	0.0	100.0	100.0
Cass County	MI	49,477	22,644	61	0.1	20	0.1	0	0.0	0	0.0	100.0	100.0
Hillsdale County	MI	43,431	18,547	3,232	7.4	1,274	6.9	0	0.0	0	0.0	100.0	100.0
St. Joseph County	MI	58,913	24,242	1,419	2.4	548	2.3	0	0.0	0	0.0	100.0	100.0
Allen County	OH	109,755	42,758	17,393	15.8	5,417	12.7	0	0.0	0	0.0	100.0	100.0
Auglaize County	OH	44,585	16,907	3,521	7.9	1,314	7.8	0	0.0	0	0.0	100.0	100.0
Darke County	OH	53,619	20,338	362	0.7	101	0.5	0	0.0	0	0.0	100.0	100.0
Defiance County	OH	39,350	14,737	39,288	99.8	14,714	99.8	5,839	14.9	2,249	15.3	85.1	84.7
Fulton County	OH	38,498	14,095	445	1.2	146	1.0	0	0.0	0	0.0	100.0	100.0
Henry County	OH	29,108	11,000	2,089	7.2	745	6.8	0	0.0	0	0.0	100.0	100.0
Mercer County	OH	39,443	14,969	33,811	85.7	12,584	84.1	0	0.0	0	0.0	100.0	100.0
Paulding County	OH	20,488	7,951	20,488	100.0	7,951	100.0	8,913	43.5	3,330	41.9	56.5	58.1
Putnam County	OH	33,819	11,600	10,833	32.0	3,626	31.3	0	0.0	0	0.0	100.0	100.0
Van Wert County	OH	30,464	11,998	30,464	100.0	11,998	100.0	4,934	16.2	1,875	15.6	83.8	84.4
Williams County	OH	36,956	14,745	30,873	83.5	12,351	83.8	85	0.3	34	0.3	99.7	99.7
Total		2,043,020	826,511	916,529	44.9	368,156	44.5	483,010	52.7	193,226	52.5	47.3	47.5

* Percentages shown relative to F(50,50,50) coverage



WTVH Coverage Analysis

December 16, 1998

County	State	County total		F(50,50,50)				F(99,99,50) *				% Change	
		POP	HU	POP	%	HU	%	POP	%	HU	%	POP	HU
Allegany County	NY	50,470	21,951	187	0.4	90	0.4	0	0.0	0	0.0	100.0	100.0
Broome County	NY	212,160	87,969	12,338	5.8	4,450	5.1	0	0.0	0	0.0	100.0	100.0
Cayuga County	NY	82,313	33,280	82,238	99.9	33,062	99.3	63,671	77.4	25,346	76.7	22.6	23.3
Chemung County	NY	95,195	37,290	894	0.9	324	0.9	0	0.0	0	0.0	100.0	100.0
Chenango County	NY	51,768	22,164	15,665	30.3	6,923	31.2	925	5.9	413	6.0	94.1	94.0
Cortland County	NY	48,963	18,681	47,948	97.9	18,284	97.9	21,317	44.5	7,591	41.5	55.5	58.5
Delaware County	NY	47,225	27,361	1,365	2.9	733	2.7	0	0.0	0	0.0	100.0	100.0
Fulton County	NY	54,191	26,260	718	1.3	394	1.5	0	0.0	0	0.0	100.0	100.0
Genesee County	NY	60,060	22,596	7,435	12.4	2,840	12.6	0	0.0	0	0.0	100.0	100.0
Hamilton County	NY	5,279	8,234	121	2.3	236	2.9	0	0.0	0	0.0	100.0	100.0
Herkimer County	NY	65,797	30,799	9,587	14.6	4,600	14.9	448	4.7	191	4.2	95.3	95.8
Jefferson County	NY	110,943	50,519	16,481	14.9	9,261	18.3	30	0.2	43	0.5	99.8	99.5
Lewis County	NY	26,796	13,182	4,952	18.5	3,705	28.1	594	12.0	546	14.7	88.0	85.3
Livingston County	NY	62,372	23,084	4,718	7.6	1,677	7.3	0	0.0	0	0.0	100.0	100.0
Madison County	NY	69,120	26,641	67,641	97.9	26,070	97.9	50,522	74.7	19,861	76.2	25.3	23.8
Monroe County	NY	713,968	285,524	285,128	39.9	121,089	42.4	0	0.0	0	0.0	100.0	100.0
Montgomery County	NY	51,981	21,851	6	0.0	3	0.0	0	0.0	0	0.0	100.0	100.0
Oneida County	NY	250,836	101,251	219,307	87.4	88,181	87.1	91,311	41.6	34,615	39.3	58.4	60.7
Onondaga County	NY	468,973	190,878	468,973	100.0	190,878	100.0	468,900	100.0	190,815	100.0	0.0	0.0

* Percentages shown relative to F(50,50,50) coverage

WTVH Coverage Analysis

December 16, 1998

County	State	County total		F(50,50,50)				F(99,99,50) *				% Change	
		POP	HU	POP	%	HU	%	POP	%	HU	%	POP	HU
Ontario County	NY	95,101	38,947	80,780	84.9	31,823	81.7	5,577	6.9	2,134	6.7	93.1	93.3
Oswego County	NY	121,771	48,548	121,765	100.0	48,545	100.0	84,607	69.5	32,966	67.9	30.5	32.1
Otsego County	NY	60,517	26,385	4,668	7.7	2,155	8.2	0	0.0	0	0.0	100.0	100.0
Schoharie County	NY	31,859	14,431	43	0.1	21	0.1	0	0.0	0	0.0	100.0	100.0
Schuyler County	NY	18,662	8,472	4,472	24.0	1,715	20.2	208	4.7	83	4.8	95.3	95.2
Seneca County	NY	33,683	14,314	33,077	98.2	13,881	97.0	13,936	42.1	5,716	41.2	57.9	58.8
Steuben County	NY	99,088	43,019	2,952	3.0	1,429	3.3	0	0.0	0	0.0	100.0	100.0
Tioga County	NY	52,337	20,254	4,905	9.4	1,799	8.9	5	0.1	1	0.1	99.9	99.9
Tompkins County	NY	94,097	35,338	58,661	62.3	21,416	60.6	1,282	2.2	469	2.2	97.8	97.8
Wayne County	NY	89,123	35,188	85,519	96.0	33,807	96.1	7,816	9.1	2,720	8.0	90.9	92.0
Wyoming County	NY	42,507	15,848	2,323	5.5	829	5.2	0	0.0	0	0.0	100.0	100.0
Yates County	NY	22,810	11,629	16,902	74.1	7,711	66.3	639	3.8	255	3.3	96.2	96.7
Bradford County	PA	60,967	27,058	533	0.9	306	1.1	0	0.0	0	0.0	100.0	100.0
Susquehanna County	PA	40,380	20,308	200	0.5	115	0.6	0	0.0	0	0.0	100.0	100.0
Wayne County	PA	39,944	28,480	32	0.1	15	0.1	0	0.0	0	0.0	100.0	100.0
Total		3,431,256	1,437,734	1,662,534	48.5	678,367	47.2	811,788	48.8	323,765	47.7	51.2	52.3

* Percentages shown relative to F(50,50,50) coverage



KSEE Coverage Analysis

December 16, 1998

County	State	County total		F(50,50,50)				F(99,99,50) *				% Change	
		POP	HU	POP	%	HU	%	POP	%	HU	%	POP	HU
Fresno County	CA	667,490	235,563	658,583	98.7	230,513	97.9	643,277	97.7	224,923	97.6	2.3	2.4
Kern County	CA	543,477	198,636	66,203	12.2	19,054	9.6	0	0.0	0	0.0	100.0	100.0
Kings County	CA	101,469	30,843	91,693	90.4	29,070	94.3	91,590	99.9	29,034	99.9	0.1	0.1
Madera County	CA	88,090	30,831	72,801	82.6	23,516	76.3	69,434	95.4	22,277	94.7	4.6	5.3
Mariposa County	CA	14,302	7,700	1,044	7.3	461	6.0	330	31.6	139	30.2	68.4	69.8
Merced County	CA	178,403	58,410	162,787	91.2	53,004	90.7	22	0.0	8	0.0	100.0	100.0
San Luis Obispo County	CA	217,162	90,200	2	0.0	2	0.0	0	0.0	0	0.0	100.0	100.0
Stanislaus County	CA	370,522	132,027	220	0.1	71	0.1	0	0.0	0	0.0	100.0	100.0
Tulare County	CA	311,921	105,013	287,182	92.1	94,161	89.7	269,857	94.0	88,778	94.3	6.0	5.7
Total		2,492,836	889,223	1,340,515	53.8	449,852	50.6	1,074,510	80.2	365,159	81.2	19.8	18.8

* Percentages shown relative to F(50,50,50) coverage

EXHIBIT 3

	Population (% change)	Households (% change)
KBJR-TV(NBC) Superior, Wisconsin	33.8	42.0
KEYE-TV(CBS) Austin, Texas	23.6	23.8
KNTV(TV)(ABC) San Jose, California	19.3	19.8
KSEE(TV)(NBC) Fresno, California	19.8	18.8
WEEK-TV(NBC) Peoria, Illinois	55.4	54.8
WKBW-TV(ABC) Buffalo, New York	31.4	30.3
WPTA-TV(ABC) Fort Wayne, Indiana	47.3	47.5
WTVH(TV)(CBS) Syracuse, New York	51.2	52.3
Average	30% ¹	31% ²

¹ This percentage shows the average decrease in Grade B contour coverage for the above referenced stations based on population. Specifically, Granite's stations serve a total population of 12,610,557 within the existing Grade B contour. Under the FCC's proposed Grade B contour, Granite's stations would only serve a total population of 8,783,634.

² This percentage shows the average decrease in Grade B contour coverage for the above referenced stations based on households. Specifically, Granite's stations serve 5,000,759 households within the existing Grade B contour. Under the FCC's proposed Grade B contour, Granite's stations would only serve 3,443,966 households.



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December 21, 1998

Re: Granite Broadcasting Comments

Certification

I, Hank Brandenburg, certify that Dataworld prepared the maps and reports included herewith under my direct supervision. I have 18 years of experience in preparation of reports and maps related to broadcast coverage and engineering.

The coverage calculations made herein utilize the 3 arc-second topographic data available from the *United States Geological Survey*, and version 1.2.2 of the *Longley-Rice* RF propagation model available from NTIA. The population reports use block-level 1990 Census data from the U.S. Department of Commerce. Industry standard broadcast engineering calculation methodologies were used.

The studies and maps provide a comparison between the 50% time and location variability parameter (per the current FCC rules) and the 99% location and 99% time variability parameters recently proposed by the FCC.

I hereby certify, subject to penalties for perjury, that these maps and reports are true and accurate to the best of my knowledge and belief.

Sincerely,

A handwritten signature in black ink, appearing to read "Hank Brandenburg", written over a horizontal line.

Hank Brandenburg
Executive Vice President